



General Assembly

January Session, 2009

Proposed Bill No. 6153

LCO No. 1874

Referred to Committee on Judiciary

Introduced by:
REP. BYE, 19th Dist.

**AN ACT CONCERNING FRAUDULENT CONCEALMENT OF
MATERIAL FACTS RELATED TO A CAUSE OF ACTION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 That section 52-595 of the general statutes be amended to provide
2 that if a person fraudulently conceals from another person substantial
3 material facts related to a cause of action, then such action shall not
4 accrue until such other person discovers the existence of such facts;
5 that suppression or nondisclosure of a substantial material fact related
6 to a cause of action which a party is under an obligation to
7 communicate or disclose constitutes fraudulent concealment of the
8 cause of action; that the obligation to communicate or disclose such
9 material fact or facts may arise from the confidential relations of the
10 parties or from the particular circumstances of the case; and that
11 fraudulent concealment may be proven by circumstantial evidence.

Statement of Purpose:

To clarify application of the fraudulent concealment statute and toll the statute of limitations in an action where material facts related to that action have been fraudulently concealed.